

**UNITED STATES DISTRICT
COURT SOUTHERN DISTRICT OF
TEXAS HOUSTON DIVISION**

MIKUL KLEHM
Plaintiff,

v.

RAWLTYN JORDAN HART, ET
Defendants.

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Civil Action No.: 4:22-cv-01226

NOTICE TO COURT REGARDING MEDIATION

Harris County files this Notice to the Court regarding Mediation. Harris County will participate in mediation *after* a ruling on the Motion for Summary Judgment (MSJ), if any claims remain.

1. This Court requires mediation or settlement conference within 45 days of filing of a summary judgment under Rule 56. (Judge Charles Eskridge Court Procedures, ¶ 32(b)).
2. Harris County filed a Motion for Summary Judgment (MSJ) on the dispositive motion deadline, January 17, 2025. DE: 88.
3. Harris County is opposed to mediation until *after* this Court rules on the MSJ.
4. This case involves allegations that Harris County violated Plaintiff's Constitutional rights, brought under 42 U.S.C. § 1983. As discussed in Harris County's MSJ, DE: 88, the Plaintiff cannot sustain a cause of action against Harris County in this case.
5. As a government entity, Harris County seeks the benefit of a ruling on the case dispositive motion before potentially spending public funds on a settlement.
6. If claims remain against Harris County after this Court has ruled on the MSJ, Harris County will mediate those claims in good faith.
7. Harris County has notified all parties involved in this case.

Date: January 24, 2025.

Respectfully submitted,

CHRISTIAN D. MENEFEE
HARRIS COUNTY ATTORNEY

JONATHAN G. C. FOMBONNE
DEPUTY COUNTY ATTORNEY AND FIRST
ASSISTANT

NATALIE G. DELUCA
MANAGING COUNSEL,
DEFENSIVE LITIGATION, EMPLOYMENT, &
REAL ESTATE DIVISIONS
Respectfully submitted,

By: /s/ Rachel Fraser
RACHEL FRASER
Senior Assistant County Attorney
ATTORNEY IN CHARGE
State Bar No. 24079725
Fed Bar No. 4067195
Tel: (713) 274-5383 (direct)
rachel.fraser@harriscountytexas.gov

SUZANNE BRADLEY
Sr. Assistant County Attorney
State Bar No. 00793375
1019 Congress, 15th Floor
Houston, Texas 77002
Phone: (713) 274-5330
Suzanne.Bradley@harriscountytexas.gov

OFFICE OF THE HARRIS COUNTY ATTORNEY
Harris County Attorney's Office
1019 Congress
Houston, Texas 77002
ATTORNEYS FOR DEFENDANT
HARRIS COUNTY

CERTIFICATE OF SERVICE

I certify that, pursuant to Federal Rules of Civil Procedure, a true copy of the instrument to which this Certificate is attached was duly served upon each party to this cause.

/s/ Rachel Fraser

RACHEL FRASER